

714-546-9035
RECEIVED
CENTRAL FAX CENTER

T-310 P.02/13 F-591

AUG 26 2005

Practitioner's Docket No. 100697.0001US2

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of: Carlos Augusto

Application No.: 10/725,830
Filed: 12/01/2003
For: MISFET.

Group No.: 2811
Examiner: Munson, Gene M.

Mail Stop Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

**TERMINAL DISCLAIMER TO OBVIATE
A DOUBLE PATENTING REJECTION (37 C.F.R. § 1.321(c))**

Identification of Person(s) Making This Disclaimer

I, Robert D. Fish, represent that I am the attorney of record.

RECEIVED
OIPE/IAP

AUG 29 2005

EXTENT OF DISCLAIMANT'S INTEREST

The extent of the interest in this invention that the disclaimant owns is in the whole of this invention.

DISCLAIMER
(Obviousness-Type Double Patenting Rejection Over A Prior Patent)

CERTIFICATION UNDER 37 C.F.R. §§ 1.8(a) and 1.10*
(When using Express Mail, the Express Mail label number is mandatory;
Express Mail certification is optional)

I hereby certify that, on the date shown below, this correspondence is being:

MAILING

G deposited with the United States Postal Service in an envelope addressed to the Commissioner for Patents, P O Box 1450, Alexandria, VA 22313-1450.

37 C.F.R. § 1.8(a)

G with sufficient postage as first class mail

37 C.F.R. § 1.10*

G as "Express Mail Post Office to Addressee"

Mailing Label No. _____ (mandatory)

TRANSMISSION

G facsimile transmitted to the Patent and Trademark Office, (571) 273 - 8300.

Date

8/26/05

Signature

Jacquelyn Campbell

(type or print name of person certifying)

* Only the date of filing ("1 b") will be the date used in a patent term adjustment calculation, although the date on any certificate of mailing or transmission under "1.8 continues to be taken into account in determining timeliness. See "1.703(f). Consider "Express Mail Post Office to Addressee" ("1.10) or facsimile transmission ("1.6(d)) for the reply to be accorded the earliest possible filing date for patent term adjustment calculations

Terminal Disclaimer to Obviate a Double Patenting Rejection--page 1 of 2

CENTRAL FAX CENTER

AUG 26 2005

Petitioner hereby disclaims, except as provided below, the terminal part of any patent granted on the instant application, which would extend beyond the expiration date of Patent No. 6674099 as presently shortened by any terminal disclaimer. Petitioner hereby agrees that any patent so granted on the instant application shall be enforceable only for and during such period that it and the above-listed patent are commonly owned. This agreement runs with any patent granted on the instant application and is binding upon the grantee, its successors, or assigns.

In making the above disclaimer, disclaimant does not disclaim the terminal part of any patent granted on the instant application that would extend to the expiration date of the full statutory term as defined in 35 U.S.C. Sections 154 to 156 and 173 of the patent forming the basis of the double patenting rejection, namely, Patent No. 6674099, as presently shortened by any terminal disclaimer, in the event that it later: expires for failure to pay a maintenance fee, is held unenforceable, is found invalid by a court of competent jurisdiction, is statutorily disclaimed in whole or terminally disclaimed under 37 C.F.R. Section 1.321, has all claims cancelled by a reexamination certificate, is reissued, or is in any manner terminated prior to expiration of its full statutory term as presently shortened by any terminal disclaimer, except for the separation of legal title stated above.

DISCLAIMER FEE (37 C.F.R. § 1.20(d))

Small entity--fee \$65.00.

Small entity statement already filed in patent application 10/725,830 on December 1, 2003.

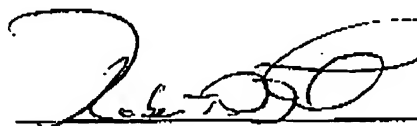
FEE PAYMENT

Authorization is hereby made to charge the amount of \$65.00 to Deposit Account No. 502191.

Charge any additional fees required by this paper or credit any overpayment in the manner authorized above.

A duplicate of this paper is attached.

Date:

8/26/05

Robert D. Fish
Registration No. 33880
Rutan & Tucker, LLP
611 Anton Blvd., Suite 1400
Costa Mesa, CA 92626
US
714-641-5100
Customer No. 34284

Terminal Disclaimer to Obviate a Double Patenting Rejection--page 2 of 2